

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
 2 United States Attorney
 2 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 3 MELANIE L. PROCTOR (CSBN 228971)
 Melanie.Proctor@usdoj.gov
 4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102-3495
 6 Telephone: (415) 436-6730
 FAX: (415) 436-7169

7 Attorneys for Respondents

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 JAVIER VILLALVAZO MUNDO,) No. C 08-2663 JL
 13 Petitioner,)
 14 v.) JOINT MOTION TO RESCHEDULE
 15 UNITED STATES DEPARTMENT OF) MOTION HEARING AND CONTINUE
 HOMELAND SECURITY; et al.,) CASE MANAGEMENT CONFERENCE
 16 Respondents.)
 17 _____)

18 On May 28, 2008, the Court issued a scheduling order, setting a Case Management
 19 Conference on September 3, 2008. Respondents were served on June 2, 2008. On July 31, 2008,
 20 Respondents filed a motion to dismiss this action, noticed for September 24, 2008. The Court has
 21 continued the motion hearing to October 29, 2008, at 9:30 a.m. Respondents' counsel has a
 22 previously scheduled hearing in San Jose on that date.

23 Accordingly, the parties hereby move the Court to reschedule the motion to
 24 November 5, 2008. Moreover, in order to promote efficiency, the parties hereby stipulate, subject
 25 to the Court's approval, to stay the CMC pending the Court's ruling on Respondents' Motion to
 26 Dismiss.

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1 Alternatively, the parties respectfully suggest continuing the Case Management Conference to
2 November 5, 2008, to be heard following the hearing on the Motion to Dismiss.

3 Dated: August 14, 2008

Respectfully submitted,

4 JOSEPH P. RUSSONIELLO
United States Attorney

5 /s/
6 MELANIE L. PROCTOR¹
7 Assistant United States Attorney
8 Attorneys for Respondents

9 Dated: August 14, 2008

10 /s/
11 ALEXANDER H. LUBARSKY
12 Attorney for Petitioner

PROPOSED ORDER

13 Pursuant to stipulation, IT IS SO ORDERED. The hearing on Respondents' Motion is
14 hereby rescheduled for Wednesday, November 5, 2008, at 9:30 a.m. The Case Management
15 Conference is hereby STAYED pending a decision on Respondents' Motion to Dismiss.

16 Dated:

17 JAMES LARSEN
United States Magistrate Judge

ALTERNATIVE ~~PROPOSED~~ ORDER

18 Pursuant to stipulation, IT IS SO ORDERED. The hearing on Respondents' Motion is
19 hereby rescheduled for Wednesday, November 5, 2008, at 9:30 a.m. The Case Management
20 Conference is hereby continued to November 5, 2008, to be held following Respondents' Motion
21 to Dismiss. The parties shall file a Joint Case Management Statement no later than
22 October 29, 2008.

23 Dated: August 18, 2008

24 
25 JAMES LARSEN
United States Magistrate Judge

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28 ¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any
signatures indicated by a "conformed" signature (/S/) within this efiled document.